

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FRANCISCO E. LOPEZ-NEGRON,

Petitioner,

v.

DAVID ORTIZ,

Respondent.

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Civ. No. 16-9075 (RBK)

MEMORANDUM AND ORDER

Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Previously, this matter was administratively terminated as petitioner's application to proceed *in forma pauperis* was denied without prejudice as incomplete. Subsequently, petitioner filed a new application to proceed *in forma pauperis* such that the Clerk will be ordered to reopen this case.

Despite the fact that petitioner's application to proceed *in forma pauperis* is now complete, it will be denied. Local Civil Rule 81.2(c) states that a petitioner shall not be entitled to *in forma pauperis* status if his prison account exceeds \$200. In this case, petitioner's prisoner account shows a balance of over \$800. Therefore, petitioner's application to proceed *in forma pauperis* will be denied and this matter will again be administratively terminated. Petitioner shall be given thirty days in which to reopen this action by paying the \$5.00 filing fee.

Accordingly, IT IS this 18th day of January, 2017,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that petitioner's application to proceed *in forma pauperis* is denied; and it is further

ORDERED that the Clerk shall re-administratively terminate this case for petitioner's failure to pay the requisite filing fee of \$5.00, and it is further

ORDERED that if petitioner wishes to reopen this action, he shall notify the Court within thirty (30) days of the date of entry of this Order, in writing; petitioner's writing shall include the \$5.00 filing fee; and it is further

ORDERED that the Clerk shall serve a copy of this Order on petitioner by regular U.S. mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge